

Attorney Docket No.: YOR920010756US1

Certificate of Mailing under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail, Label No. EV626005783US in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on 07/02/2005
Date



Signature

Samuel A. Kassatly

Typed or printed name of person signing Certificate

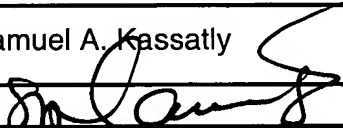
32,247
Registration Number, if applicable

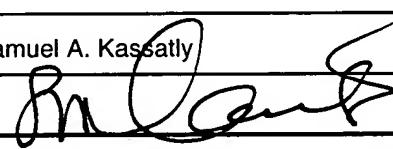
408-323-5111
Telephone Number

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/091,761	RECEIVED JUL - 5 2005 BOARD OF PATENT APPEALS AND INTERFERENCES
	Filing Date	03/06/2002	
	First Named Inventor	Tejaswini Hosali, et al.	
	Art Unit	2175	
	Examiner Name	Belix M. Ortiz	
Total Number of Pages in This Submission	Attorney Docket Number	YOR920010756US1	

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition to Revive	<input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Assignment Recordation documents
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1) Certificate of Transmission by Express Mail
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	2) Return Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Samuel A. Kassatly
Signature	
Date	07/02/2005

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Samuel A. Kassatly
Signature	
Date	07/02/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 1,000.00**Complete if Known**

Application Number	10/091,761
Filing Date	03/06/2002
First Named Inventor	Tejaswini Hosali, et al.
Examiner Name	Belix M. Ortiz
Art Unit	2175
Attorney Docket No.	YOR920010756US1

RECEIVED**JUL - 5 2005****BOARD OF PATENT APPEALS
AND INTERFERENCES****METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 50-0510 Deposit Account Name: International Business Machines

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	0
Design	200	100	100	50	130	65	0
Plant	200	100	300	150	160	80	0
Reissue	300	150	500	250	600	300	0
Provisional	200	100	0	0	0	0	0

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	0	x 50 =	0

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	0	x 200 =	0

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims	
Fee (\$)	Fee Paid (\$)
360	0

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =		/ 50 =	(round up to a whole number) x	0

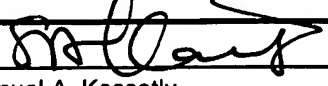
4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Notice of Appeal + Appeal Brief (41.20(b)(1) and (2))

Fees Paid (\$)	
	0
	1,000

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 32,247	Telephone 408-323-5111
Name (Print/Type)	Samuel A. Kassatly	Date	07/02/2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Title: "System and Method of Linking Dissimilar Databases Using
Pointers"

Appellants: Tejaswini Hosali, et al.

Attorney Docket No.: YOR920010756US1

RECEIVED

JUL - 5 2005

**BOARD OF PATENT APPEALS
AND INTERFERENCES**

Serial No.: 10/091,761

Examiner: Belix M. Ortiz

Filed: 03/06/2002

Art Unit: 2175

Board of Patent Appeals and Interferences
Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

Dear Sir:

This appeal brief is submitted under 35 U.S.C. §134. This appeal is further to Appellants' Notice of Appeal that is attached hereto.

Table of Contents

<u>Section</u>	<u>Title</u>	<u>Page</u>
(1)	Real Party in Interest	2
(2)	Related Appeals and Interferences	2
(3)	Status of Claims	2
(4)	Status of Amendments	2
(5)	Summary of Claimed Subject Matter	3
(6)	Grounds of Rejection to be Reviewed on Appeal	7
(7)	Arguments	7
App. A	Claims Appendix	16

(1) Real Party in Interest

The real party in interest is International Business Machines Corporation.

(2) Related Appeals and Interferences

No other appeals or interferences exist that relate to the present application or appeal.

(3) Status of Claims

Claims 1 - 19 are pending and remain in the application. In the Final Office Action of April 4, 2005, claims 1 - 19 were rejected under 35 U.S.C. 102(b) as being anticipated by Gusack (U.S. patent 6,112,209).

(4) Status of Amendments

The amendment filed on December 12, 2004 was entered but the claims were not allowed.

(5) Summary of Claimed Subject Matter

The present invention relates in general to a method and a system for linking information in at least two existing dissimilar databases without altering the data or structures of the databases. **The present system uses pointers that are external to the main databases** to link the dissimilar databases. (Page 1, lines 8 -12).

5.1. Problems addressed by the present invention

Prior to presenting substantive arguments in favor of the allowability of the claims on file, it might be desirable to summarize the present invention in view of the problem it addresses.

Database systems are used by organizations to manage information about clients, orders, client accounts, and so forth. In addition, organizational databases are maintained to manage information about organization structure, employees, position, job, accounts, etc. When dealing with clients and orders, the organization often needs to locate and contact the appropriate employee or group for an issue being addressed. **The organization could change the structure of the databases to link employees and groups with clients and purchase orders, but this data changes frequently and would require constant change and maintenance.** For large databases with dissimilar structures and programming languages, linking becomes even more difficult. (Page 1, line 26 - page 2, line 5).

What was needed prior to the advent of the present invention, is a system and associated method for externally linking existing dissimilar databases without modifications to the databases. (Page 2, lines 7 - 13).

5.2. Summary of the subject matter of independent claim 1

Prior to describing the subject matter of independent claim 1, it might be useful to clarify the definitions of certain terms, in order to help in the understanding of claim 1:

Dissimilar databases: Databases with dissimilar structures or programming languages. (Page 2, lines 4 - 5).

Pointer: Refers to the relationship to a set of data. A pointer can be used to reference specific sets of data while also allowing arguments to be passed. (Page 5, lines 16 - 17).

Pointers database: With reference to FIG. 3, a pointers database 88 acts as an external link between the customer database 70, that is comprised of millions of customers' records, with the organization database 75 that is comprised of thousands of organizational positions. As an example, the ratio of the number of records contained in the pointers database 88 to the number of records contained in either customer database 70 or the organization database 75 ranges between approximately 0.005% and 5%. (Page 7, lines 14 - 25).

The present invention is exemplified by independent claim 1, according to which at least two dissimilar databases 70, 75 with dissimilar structures are dynamically linked by means of a pointers database 88. (Page 2, lines 18, 21; page 6, lines 11 - 13; and FIGS. 2, 3).

The pointers database 88 contains a smaller number of records than the number of records contained in either one of the two dissimilar databases 70, 75. (Page 7, lines 14 - 25; and FIG. 3). "The pointers, numbering for example in the hundreds, are comprised of a much smaller set of information for each pointer than that stored for each record in the client or the organization databases. Linking the customer database 70 with the organization database 75 through pointers, allows for reduced maintenance of the data in the two databases 70, 75. The links between the customers and organization can be changed without changing the data in either database 70 or 75." (Page 7, line 27 - page 8, line 3).

The pointers database 88 receives instructions that are external to the two dissimilar databases 70, 75, to effect relationships changes between the two dissimilar databases 70, 75. (Page 1, lines 11 - 12; page 2, lines 10 - 13; page 7, line 19).

In response to the external instructions, the pointers between the records in the two dissimilar databases 70, 75 are selectively changed by changing records in the pointers database, without changing the records in the two dissimilar databases 70, 75. (Page 8, lines 31 - 33; blocks 415, 420, 425, 430 of FIG. 3).

The present invention presents numerous advantages, among which are the following:

- Ease of database maintenance because pointers linking the databases are based on easily accessible data elements that relate to the client and the organization databases.
- Reduced maintenance of the underlying data comprised of, for

example, millions of customer records and thousands of organizational positions. As an example, editing multiple database records is not required each time the organizational structure changes.

- Flexible design and application allowing multiple pointers to different positions and groups based on client records.
- Avoiding the necessity of sending customer or organizational changes to different systems utilizing this information. Required changes are incorporated in the dynamic character of the system of the invention, not by the structure of the databases or the information in the databases. (Page 3, lines 1 - 16).

5.3. Summary of the subject matter of independent claim 8

While claim 1 exemplifies the present invention in connection with a method for dynamically linking at least two dissimilar databases with dissimilar structures, claim 8 corresponds to claim 1, and exemplifies the present invention in connection with a computer program for dynamically linking at least two dissimilar databases with dissimilar structures.

5.4. Summary of the subject matter of independent claim 15

While claim 1 exemplifies the present invention in connection with a method for dynamically linking at least two dissimilar databases with dissimilar structures, claim 15 corresponds to claim 1, and exemplifies the present invention in connection with a system for dynamically linking at least two dissimilar databases with dissimilar structures.

(6) Grounds of Rejection to be Reviewed on Appeal

Appellants respectfully traverse the following ground of rejection and request that they be reviewed on appeal:

Ground of Rejection

- Claims 1 - 19 stand rejected under 35 U.S.C. 102(b) as being anticipated by Gusack (U.S. patent 6,112,209).

(7) Arguments

7.A. The Rejection

Claims 1 - 19 were rejected under 35 U.S.C. 102(b) as being anticipated by Gusack (U.S. patent 6,112,209), hereinafter referred to as "Gusack".

Appellants respectfully submit that Gusack does not disclose all the elements and limitations of the rejected claims. Consequently, the claims presently on file are not anticipated by Gusack. In support of this position, Appellants submit the following arguments:

7.B. Legal Standard for Lack of Novelty (Anticipation)

The standard for lack of novelty, that is, for "anticipation," is one of strict identity. To anticipate a claim for a patent, a **single prior source must contain** all its essential elements, and the burden of proving such anticipation is on the party making such assertion of anticipation. Anticipation cannot be shown by combining more than one reference to

show the elements of the claimed invention. The amount of newness and usefulness need only be minuscule to avoid a finding of lack of novelty.

The following are two court opinions in support of Appellants' position of non anticipation, with emphasis added for clarity purposes:

- "Anticipation under Section 102 can be found only if a reference shows **exactly** what is claimed; where there are **differences** between the reference disclosures and the claim, a rejection must be based on obviousness under Section 103." *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 USPQ 773 (Fed. Cir. 1985).
- "**Absence** from a cited reference **of any element** of a claim of a patent negates anticipation of that claim by the reference." *Kloster Speedsteel AB v. Crucible Inc.*, 793 F.2d 1565, 230 USPQ 81 (Fed. Cir. 1986), on rehearing, 231 USPQ 160 (Fed. Cir. 1986).

7.C. Application of the Anticipation Standard

Considering amended claim 1 as the representative claim, Appellants respectfully submit that Gusack does not disclose "dynamically linking at least two **dissimilar databases with dissimilar structures**." Rather, Gusack states the following with emphasis added:

"To facilitate storage, retrieval, and processing of assemblies of informational items in computers a plurality of informational divisions may be defined wherein each contains a plurality of **similar informational items**." Column 6, lines 61 - 64.

"Shown is a partial view of a plurality of records organized as a data table (101) stored on electronic-based media in a computer, consisting of a **list of informational items, usually similar** such as names, dates, address, and other data organized in separate fields (103) defined by a plurality of vertically oriented columns (105) (gray shading for illustrative purposes only) and horizontally oriented rows (107) (gray shading for illustrative purposes only). Column 7, lines 41 - 48.

"To the right are three more data tables with **similar record structures**." Column 26, lines 52 - 54.

In addition, the **Examiner has not specifically designated the database in Gusack which is analogized to the pointers database of the present invention.** As a result, Appellants submit that the rejection ground is neither sufficiently definite nor specific, and respectfully request that the rejection be withdrawn.

Nonetheless, for the sake of argument only, Appellants' best guess would be to analogize the pointers database to Gusack's CTFL Index 911 (FIG. 9), which is disposed intermediate the Names Index 903 and the Phone Data Table 917. Based on this assumption, Appellants submit that **Gusack's CTFL Index 911 does not receive instructions external to the two databases (i.e., 903, 917), to effect relationships changes between these two databases.** In addition, it should be clear that Gusack's Names Index 903 and the Phone Data Table 917 do not have dissimilar structures and thus are not dissimilar databases as intended by the present invention.

As a result of this capability, **Gusack's CTFL Index 911 does not respond to external instructions,** let alone selectively change the pointers between records in the two dissimilar databases by changing the corresponding records in the pointers database, **without changing the records in the at least two dissimilar databases.**

In the final office action of April 4, 2005, the Examiner states that: "in response to the external instructions, selectively changing pointers between records in the at least two dissimilar databases by changing records in the pointers database, without changing the records in the at least two dissimilar databases (see (Gusack) column 40, lines 9-16)."

In essence, the Examiner is referencing claim 22 of Gusack, that reads as follows, with emphasis added: "22. A method of indexing and linking information as recited in claim 1 wherein values of alphanumeric indicia stored in said linking fields in said data tables may be accessed and changed such that said change creates a different indicum that links to an alternate plurality of records in said plurality of said central linking tables such that an alternate set of a plurality of records are linked to in said data set."

To Appellants' best understanding of claim 22 of Gusack, and contrary to the Examiner's assertion, Gusack states that: "The linking values stored in the central linking table indexes may be predefined to automatically structure and link a plurality of unspecified data and changes in the data may alter the linking structure to provide further capabilities." (Abstract, last sentence). Gusack also refers to FIG. 26 which is described as follows: "FIG. 26 is a partial view of four data tables, a central linking table, and a tree-node object to illustrate how a linking structure a master record points to may be changed by changing said editable alphanumeric value in the linking field of the top level record in the hierarchy in accordance with an embodiment of the present invention." (Gusack, page 6, lines 47 - 52).

Basically, Gusack states that the main data tables are changed to affect the different linking relationship. Contrary to the teaching of Gusack, the present invention teaches that the "pointers database", and not the main databases, is changed to affect the different linking relationships between the main databases (or data tables).

In the final office action of April 4, 2005, the Examiner also makes the following additional arguments:

"In response to applicants' arguments that "Gusack does not disclose dynamically linking at least two dissimilar databases with dissimilar structures", the arguments have been fully considered but are not deemed persuasive, because Gusack teaches dissimilar databases and dissimilar structures on figures 1-3, 6, and 9-10.

In response, Appellants assert that the Examiner is not allowed to extend the description of the prior art reference in contradiction to the express description of that reference. In particular, Gusack states the following: "To facilitate storage, retrieval, and processing of assemblies of informational items in computers a plurality of informational divisions may be defined wherein each contains a plurality of **similar informational items**." Column 6, lines 61 - 64. As a result, Gusack's teaching does not extend to dissimilar databases with dissimilar structures, as recited in claim 1.

In addition, the Examiner's statement above, simply makes reference to figures, some of which (FIGS. 1 - 3) describe the art that precedes (i.e., prior to) Gusack and consequently, they do not describe Gusack's teaching. In addition, the Examiner's general statements totally disregard the arguments presented by Appellants that Gusack's teaching does not extend to dissimilar databases with dissimilar structures, as recited in claim 1, without providing any specific arguments.

Moreover, in the final office action of April 4, 2005, the Examiner also makes the following additional arguments:

"In response to applicants' arguments that "Gusack does not receive instructions external to the two databases to effect relationships changes between these two databases", the arguments have been fully

considered but are not deemed persuasive, because Gusack teaches "a further capability provided by the present invention is illustrated in record 402 of said LAT index (2319) wherein said LAF (2323) does not contain an array of linking values but, instead, stores a procedural call to load a separate program called "FilterProgram001.exe". Therefore, pointers to external programs, dynamic link libraries, packages, and other externally compiled object code may be stored and executed in the course of creating data clusters. **Finally, although not shown, a person skilled in the art** will see that compiled object code, pseudocode (P code), and uncompiled source code may also be stored in said LAF field (2323) or pointed to by the stored procedural call allowing for the integration of stored procedures in the data model presented herein", (see Gusack, column 2S, lines 10-23) ... (see Gusack, figures 1-3)." Emphasis added.

Appellants respectfully traverse this rejection ground and clarify that FIGS. 1 - 3 of Gusack (upon which the Examiner bases the rejection ground), describe a prior art relative to Gusack. Gusack distinguishes over the description of the prior art of FIGS. 1 - 3, and thus it is not accurate to rely on the foregoing excerpt as a teaching of Gusack. Actually, Gusack tries to teach away from the prior art system illustrated by FIGS. 1 - 3.

More specifically, the following excerpt provides a brief description of FIGS. 1 - 3:

"FIG. 1 is a partial view of a data table and two index tables to order said data table records in accordance with the prior art.
FIG. 2 is a partial view of a data table, an index table, a table stored in a memory buffer, and a computer with video monitor illustrating how data is ordered and displayed on a computer in accordance with the prior art.
FIG. 3 is a partial view of a master table index, a detail data table, a detail index table, a table stored in a memory buffer, and a computer with video monitor illustrating how detail data is filtered by a chosen master record by a relational link on one common field, ordered by its index, and displayed on a computer in accordance with the prior art."
(Gusack, column 4, lines 41 - 55).

As clearly stated in the excerpt below, Gusack distinguishes over the system described in FIGS. 1 - 5:

"Direct Linking and its Limitations

As shown herein above, prior art utilizes direct linking between any two tables via one or more identical fields contained within their respective index tables. Although effective and efficient for structuring a small number of hierarchical relations between a small number of tables, said approach imposes limits on expanding the number of tables and links between said tables." (Gusack, column 10, lines 33 - 40).

In addition, the fact that the excerpt cited by the Examiner, mentions the term "external," does not necessarily imply that "the pointers database receiving instructions external to the at least two dissimilar databases, to effect relationships changes between the at least two dissimilar databases; and in response to the external instructions, selectively changing pointers between records in the at least two dissimilar databases by changing records in the pointers database, without changing the records in the at least two dissimilar databases" as recited in claim 1.

In addition, the Examiner on page 8 of the final office action, admits to the following: "Finally, **although not shown, a person skilled in the art** will see that compiled object code, pseudocode (P code), and uncompiled source code may also be stored in said LAF field (2323) or pointed to by the a stored procedural call allowing for the integration of stored procedures in the data model presented herein", (see Gusack, column 25, lines 10-23) and also (see Gusack, figures 1-3)." Emphasis added.

Basically, the Examiner admits to the absence of an important feature of the present invention, and resorts to the person skilled in the art to replace the absence of this feature. This line of reasoning raises two issues.

The first issue is that the Examiner's admission to the absence of the feature in Gusack, necessitates the allowance of claim 1 under the strict legal authorities above.

The second issue is that the Examiner is using the wrong legal standard, namely the knowledge of the person skilled in the art in conjunction with the 35 U.S.C. 102 (anticipation) rejection, rather than in support of a 35 U.S.C. 103 (obviousness) rejection. If the Examiner intends the rejection ground to claim "inherency," then the Examiner should have applied the proper factual standard and requirements of the inherency doctrine.

Relative to claim 2, the Examiner presents the following rejection ground in the final office action:

"As to claims 2, 9, and 16, Gusack teaches wherein a ratio of the number of records contained in the pointers database to the number of records contained in either one or the at least two dissimilar databases ranges between approximately 0.005% and 5% (see figure 1, it is obvious that the ratio of number of record on the pointer database deemed to include smaller database)." Emphasis added.

Here again, the Examiner seems to be improperly applying the obviousness standard to an anticipation rejection. Appellants respectfully request that the anticipation and obviousness rejections be properly applied according to their specific, respective standards, and that these standards not be co-mixed unjustifiably.

More specifically, Appellants respectfully submit that FIG. 1 does not specify the range of 0.005% and 5% for the pointers database.

To conclude, claims 1 and 2 are not anticipated by Gusack as this reference does not disclose all the elements of claims 1 and 2. Therefore, claim 1 and the claims dependent thereon are allowable. Therefore, claims 1 and 2 and the claims dependent thereon are allowable, and such allowance is respectfully requested. In addition, with respect to the dependent claims, Appellants do not assert each individual feature independently in the abstract, but rather in combination with the elements and features of claim 1.

Independent claims 8 and 15 are also allowable for reciting generally similar elements and limitations to those of claim 1. As a result, claims 8 and 15 and the claims dependent thereon are allowable and such allowance is respectfully requested.

Respectfully submitted,

Date: July 1, 2005
Samuel A. Kassatly Law Office
20690 View Oaks Way
San Jose, CA 95120
Tel.: (408) 323-5111
Fax: (408) 521-0111



Samuel A. Kassatly
Attorney for Appellants
Reg. No. 32,247

APPENDIX A
CLAIMS ON APPEAL

1. A method for dynamically linking at least two dissimilar databases with dissimilar structures, comprising:

linking the two dissimilar databases by means of a pointers database that contains a smaller number of records than a number of records contained in either one of the at least two dissimilar databases;

the pointers database receiving instructions external to the at least two dissimilar databases, to effect relationships changes between the at least two dissimilar databases; and

in response to the external instructions, selectively changing pointers between records in the at least two dissimilar databases by changing records in the pointers database, without changing the records in the at least two dissimilar databases.

2. The method of claim 1, wherein a ratio of the number of records contained in the pointers database to the number of records contained in either one or the at least two dissimilar databases ranges between approximately 0.005% and 5%.

3. The method of claim 1, wherein the at least two dissimilar databases include a customer database and an organization database.

4. The method of claim 3, further comprising:
the pointers database detecting a change to a record in the customer database; and

in response to the change to the record in the customer database, selectively changing a pointer in the pointers database, without changing the records in the organization database.

5. The method of claim 4, wherein the change to the record in the customer database comprises a change to any one or more of: status change, location, country of residence, importance of business relationship, volume of business, and credit worthiness.

6. The method of claim 3, further comprising:
the pointers database detecting a change to a record in the organization database; and

in response to the change to the record in the organization database, selectively changing a pointer in the pointers database, without changing the records in the customer database.

7. The method of claim 6, wherein the change to the record in the organization database comprises a change to any one or more of: organization hierarchy type, branch office, responsibility, and geopolitical status.

8. A computer program for dynamically linking at least two dissimilar databases with dissimilar structures, comprising:

a first set of program instructions for linking the two dissimilar databases by means of a pointers database that contains a smaller number of records than a number of records contained in either one of the at least two dissimilar databases;

the pointers database receiving instructions external to the at least two dissimilar databases, to effect relationships changes between the at least two dissimilar databases; and

a second set of program instructions for changing pointers between records in the at least two dissimilar databases by changing records in the pointers database, without changing the records in the at least two dissimilar databases.

9. The computer program of claim 8, wherein a ratio of the number of records contained in the pointers database to the number of records contained in either one or the at least two dissimilar databases ranges between approximately 0.005% and 5%.

10. The computer program of claim 8, wherein the at least two dissimilar databases include a customer database and an organization database.

11. The computer program of claim 10, further comprising:
the pointers database detecting a change to a record in the customer database; and

in response to the change to the record in the customer database, a third set of instruction codes selectively changes a pointer in the pointers database, without changing the records in the organization database.

12. The computer program of claim 11, wherein the change to the record in the customer database comprises a change to any one or more of: status change, location, country of residence, importance of business relationship, volume of business, and credit worthiness.

13. The computer program of claim 10, further comprising:
the pointers database detecting a change to a record in the organization database; and
in response to the change to the record in the organization database, a fourth set of instruction codes selectively changes a pointer in the pointers database, without changing the records in the customer database.

14. The computer program of claim 13, wherein the change to the record in the organization database comprises a change to any one or more of: organization hierarchy type, branch office, responsibility, and geopolitical status.

15. A system for dynamically linking at least two dissimilar databases with dissimilar structures, comprising:

a pointers database for linking the two dissimilar databases, wherein the pointers database contains a smaller number of records than a number of records contained in either one of the at least two dissimilar databases;

the pointers database receiving instructions external to the at least two dissimilar databases, to effect relationships changes between the at least two dissimilar databases; and

in response to the external instructions, the pointers database selectively changes pointers in the pointers database, without changing the records in

the at least two dissimilar databases.

16. The system of claim 15, wherein a ratio of the number of records contained in the pointers database to the number of records contained in either one or the at least two dissimilar databases ranges between approximately 0.005% and 5%.

17. The system of claim 15, wherein the at least two dissimilar databases include a customer database and an organization database.

18. The system of claim 17, wherein further comprising:
the pointers database detecting a change to a record in the database;
and

in response to the change to the record in the customer database, the pointers database selectively changing a pointer, without changing the records in the organization database.

19. The system of claim 17, further comprising:
the pointers database detecting a change to a record in the organization database; and

in response to the change to the record in the organization database, the pointers database selectively changing a pointer, without changing the records in the customer database.

=====